

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

October 21, 2009

ACO-011

No. 09-8075

THE CITY OF HIALEAH EMPLOYEES' RETIREMENT  
SYSTEM; LABORERS PENSION TRUST FUNO FOR  
NORTHERN CALIFORNIA, On behalf of Themselves and  
All Others Similarly Situated

v.

TOLL BROS INC; BRUCE TOLL; ROBERT TOLL; ZVI  
BARZILAY; JOEL H. RASSMAN; RICHARD BRAEMER;  
PAUL E. SHAPIRO; ROBERT S. BLANK; CARL B.  
MARBACH; JOSEPH R. SICREE,  
Petitioners

(E.D. Pa. No. 07-cv-01513)

Present: SLOVITER, AMBRO and SMITH, Circuit Judges

- 1) Petition for Permission to Appeal the order of the District Court dated August 29, 2008, pursuant to 28 U.S.C. Section 1292(b)
- 2) Response by Respondents to Petition for Permission to Appeal under 28 U.S.C. Section 1292(b)

/s/Caitlyn J. Gillie  
Case Manager (267)299-4956

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**ORDER**

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**The foregoing** petition for permission to appeal the order of the District Court dated August 29, 2008 pursuant to 28 U.S.C. § 1292(b) is denied.



**By the Court,**

/s/ Dolores K. Sloviter  
**Circuit Judge**

**Dated:** November 3, 2009  
CJG/cc: Eric A. Issacson, Esq.

*Marcia M. Waldron*  
Marcia M. Waldron, Clerk

Russell D. Paul, Esq.  
Barbara A. Podell, Esq.  
Sharrie R. Savett, Esq.